

Applicant/Patentee: Andrew Goodearl et al.
Serial/Patent No.: 08/036,555
Filed/Issued: March 24, 1993
Re: GLIAL MITOGENIC FACTORS, THEIR PREPARATION AND USE



Attorney's Docket No.: LUD 250.4-JEL/CHT

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- () the part-owner of the small business concern identified below:
(X) an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Cambridge NeuroScience
ADDRESS OF CONCERN One Kendall Square
Cambridge, Massachusetts 02139

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled
GLIAL MITOGENIC FACTORS, THEIR PREPARATION AND USE

by inventor(s) Andrew Goodearl et al.
described in

- () the specification filed herewith
(X) application Serial No. 036,555, filed March 24, 1993.
() Patent No. , issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

Cont'd

FELFE & LYNCH
805 Third Avenue
New York, New York 10022
(212) 688-9200

Page 2

Applicant/Patentee: Andrew Goodearl et al.

Serial/Patent No.: 08/036,555

Filed/Issued: March 24, 1993

For: GLIAL MITOGENIC FACTORS, PREPARATION AND USE

Attorney's Docket No.: LUD 250.4-JEL/CHT

NAME _____

ADDRESS _____

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Gregory B. Butler

TITLE OF PERSON OTHER THAN OWNER Director, Legal Affairs and Patent Counsel

ADDRESS OF PERSON SIGNING One Kendall Square

Cambridge, Massachusetts 02139

SIGNATURE _____

DATE 5/2/93

FELPE & LYNCH
805 Third Avenue
New York, New York 10022
(212) 688-9200



Applicant/Patentee: Andrew Goodearl et al.
Serial/Patent No.: 08/036,555
Filed/Issued: March 24, 1993
For: GLIAL MITOGENIC FACTORS, THEIR PREPARATION AND USE
Attorney's Docket No.: LUD 250.4-JEL/CHT

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION Ludwig Institute for Cancer Research

ADDRESS OF ORGANIZATION 1345 Avenue of the Americas
New York, New York 10105

TYPE OF ORGANIZATION

- () UNIVERSITY OR OTHER INSTITUTE OF HIGHER EDUCATION
(X) TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
() NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
() WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
() WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled
GLIAL MITOGENIC FACTORS, THEIR PREPARATION AND USE

by inventor(s) Andrew Goodearl et al.

described in

- () the specification filed herewith
(X) application Serial No. 036,555 , filed March 24, 1993
() Patent No. _____ , issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

Cont'd

FELFE & LYNCH
805 Third Avenue
New York, New York 10022
(212) 688-9200

Verified Statement (Declaration) Claiming Small Entity Status
37 CFR 1.9(f) and 1.27 - Nonprofit Organization

Page 2

Applicant/Patentee: Andrew Goodearl et al.

Serial/Patent No.: 036,555

Filed/Issued: March 24, 1993

For: GLIAL MITOGENIC FACTORS, THEIR PREPARATION AND USE

Attorney's Docket No.: LUD 250.4-JEL/CHT

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the invention, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Lloyd J. Old
TITLE IN ORGANIZATION Director
ADDRESS OF PERSON SIGNING 1345 Avenue of the Americas
New York, New York 10105

[Signature]
SIGNATURE

April 5, 1993
DATE

NAME OF PERSON SIGNING Edward A. McDermott, Jr.
TITLE IN ORGANIZATION Secretary and General Counsel
ADDRESS OF PERSON SIGNING 1345 Avenue of the Americas
New York, New York 10105

[Signature]
SIGNATURE

April 5, 1993
DATE

FELFE & LYNCH
805 Third Avenue
New York, New York 10022
(212) 688-9200

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My resident, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled GLIAL MITOGENIC FACTORS, THEIR PREPARATION AND USE, the specification of which was filed on March 24, 1991 as application Serial No. 08/036,555.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendments referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

Foreign Priority Applications

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority Claimed

<u>91 07566.3</u>	<u>United Kingdom</u>	<u>10 April 1991</u>	Yes (X) No ()
(Number)	(Country)	(Day/Month/Year Filed)	

U.S. Priority Applications

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>07/965,173</u>	<u>October 23, 1992</u>	<u>Pending</u>
(Applic. Serial No.)	(Filing Date)	(Status-patented/pending/abandoned)
<u>07/940,389</u>	<u>September 3, 1992</u>	<u>Pending</u>
(Applic. Serial No.)	(Filing Date)	(Status-patented/pending/abandoned)
<u>07/907,138</u>	<u>June 30, 1992</u>	<u>Pending</u>
(Applic. Serial No.)	(Filing Date)	(Status-patented/pending/abandoned)
<u>07/863,703</u>	<u>April 3, 1992</u>	<u>Pending</u>
(Applic. Serial No.)	(Filing Date)	(Status-patented/pending/abandoned)

Power of Attorney

I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: John E. Lynch, Reg. No. 20,940; Peter F. Felfe, Reg. No. 20,297; Alfred E. Hemingway, Jr., Reg. No. 26,736; Vincent M. Fazzari, Reg. No. 26,879; Harry R. Levie, Reg. No. 31,116; Charles A. Blank, Reg. No. 17,419; Norman I. Hanson, Reg. No. 30,946; Walter G. Weissenberger, Reg. No. 17,344; F. Bric Faller, Reg. No. 29,532; Andrew L. Tiajoloff, Reg. No. 31,575; John I. Luther, Reg. No. 32,261; Christine H. Tsai, Reg. No. 34,266 and John I. Bauer, Reg. No. 32,554, my attorneys with full power of substitution and revocation. Address all telephone calls to Christine H. Tsai, at (212) 686 9200. Address all correspondence to:

FELFE & LYNCH
805 Third Avenue
New York, New York 10022

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(1) Andrew Goodearl

Full Name/Sole or First Inventor

A. Goodearl
Signature

27th April 1993
Date

Residence: 45 Blacketts Wood Drive,
Chorleywood, Hertfordshire, WD3 5PY
United Kingdom

British
Citizenship

Post Office Address: 45 Blacketts Wood Drive, Chorleywood,
Hertfordshire, WD3 5PY, United Kingdom

(2) Paul Stroobant

Full Name/Second Inventor

P. Stroobant
Signature

April 6, 1993
Date

Residence: 52A Cecile Park, Crouch End
London N8 9AS, United Kingdom

New Zealand
Citizenship

Post Office Address: 52A Cecile Park, Crouch End
London N8 9AS, United Kingdom

(3) Luisa Minghetti

Full Name/Third Inventor

Luisa Minghetti
Signature

21/4/93
Date

Residence: Via Stradello, 22

48012 Bagnacavallo (RA) Italy

Italian
Citizenship

Post Office Address: Via Stradello, 22

48012 Bagnacavallo (RA) Italy

(4) Michael Waterfield

Full Name/Fourth Inventor

Michael Waterfield
Signature

13/4/93
Date

Residence: Chantemerlc, Speen Lane, Speen,

Newbury, Berkshire RG13 1RN

United Kingdom

British
Citizenship

Post Office Address: Chantemerlc, Speen Lane, Speen, Newbury

Berkshire RG13 1RN, United Kingdom

(5) Mark Marchioni

Full Name/Fifth Inventor

Signature

Date

Residence: 24 Twin Circle Drive

Arlington, Massachusetts 02174

U.S.A.
Citizenship

Post Office Address: 24 Twin Circle Drive

Arlington, Massachusetts 02174

(6) Mario Su Chen

Full Name/Sixth Inventor

Signature

Date

Residence: 65 Decatur St.

Arlington, Massachusetts 02174

U.S.A.
Citizenship

Post Office Address: 65 Decatur St.

Arlington, Massachusetts 02174

(7) Ian Hiles

Full Name/Seventh Inventor

IHiles
Signature

19-4-1993
Date

Residence: 91 Riding House St.
London W1P 8BT, England

British
Citizenship

Post Office Address: Courtauld Building, 91 Riding House St.
London W1P 8BT, England

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My resident, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled GLIAL MITOGENIC FACTORS, THEIR PREPARATION AND USE, the specification of which was filed on March 24, 1991 as application Serial No. 08/036,555.

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(Applic. Serial No.)	(Filing Date)	(Status-patented/pending/abandoned)
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<u>07/863,703</u>	<u>April 3, 1992</u>	<u>Pending</u>
(Applic. Serial No.)	(Filing Date)	(Status-patented/pending/abandoned)

Power of Attorney

I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: John E. Lynch, Reg. No. 20,940; Peter F. Felfe, Reg. No. 20,297; Alfred H. Hemingway, Jr., Reg. No. 26,736; Vincent M. Fazzari, Reg. No. 26,879; Hallie R. Levie, Reg. No. 31,116; Charles A. Blank, Reg. No. 17,419; Norman D. Hanson, Reg. No. 30,946; Walter G. Weissenberger, Reg. No. 17,344; F. Brice Faller, Reg. No. 29,532; Andrew L. Tiajolloff, Reg. No. 31,575; John P. Luther, Reg. No. 32,261; Christine H. Tsai, Reg. No. 34,266 and John A. Bauer, Reg. No. 32,554, my attorneys with full power of substitution and revocation. Address all telephone calls to Christine H. Tsai, at (212) 688-9200. Address all correspondence to:

FELFE & LYNCH
805 Third Avenue
New York, New York 10022

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(1) Andrew Goodearl

Full Name/Sole or First Inventor	Signature	Date
----------------------------------	-----------	------

Residence: 45 Blacketts Wood Drive,
Chorleywood, Hertfordshire, WD3 5PY
United Kingdom

British
Citizenship

Post Office Address: 45 Blacketts Wood Drive, Chorleywood,
Hertfordshire, WD3 5PY, United Kingdom

(2) Paul Stroobant

Full Name/Second Inventor	Signature	Date
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Residence: 52A Cecile Park, Crouch End
London N8 9AS, United Kingdom

New Zealand
Citizenship

Post Office Address: 52A Cecile Park, Crouch End
London N8 9AS, United Kingdom

(3) Luisa Minghetti

Full Name/Third Inventor

Signature

Date

Residence: Via Stradello, 2248012 Bagnacavallo (RA) ItalyItalian
CitizenshipPost Office Address: Via Stradello, 2248012 Bagnacavallo (RA) Italy

(4) Michael Waterfield

Full Name/Fourth Inventor

Signature

Date

Residence: Chantemerlc, Speen Lane, Speen,Newbury, Berkshire RG13 1RNUnited KingdomBritish
CitizenshipPost Office Address: Chantemerlc, Speen Lane, Speen, Newbury
Berkshire RG13 1RN, United Kingdom

(5) Mark Marchioni

Full Name/Fifth Inventor

Signature

Date

Residence: 24 Twin Circle DriveArlington, Massachusetts 02174U.S.A.
CitizenshipPost Office Address: 24 Twin Circle DriveArlington, Massachusetts 02174

(6) Mario Su Chen

Full Name/Sixth Inventor

Signature

Date

Residence: 65 Decatur St.Arlington, Massachusetts 02174U.S.A.
CitizenshipPost Office Address: 65 Decatur St.Arlington, Massachusetts 02174

(7) Ian Hiles

Full Name/Seventh Inventor

Signature

Date

Residence: 91 Riding House St.

London W1P 8BT, England

British
Citizenship

Post Office Address: Courtauld Building, 91 Riding House St.

London W1P 8BT, England

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Andrew Goodearl, et al.
Serial No. : Continuation of Serial No. 08/472,008
Filed : Concurrently herewith
For : GLIAL MITOGENIC FACTORS, THEIR
PREPARATION AND USE

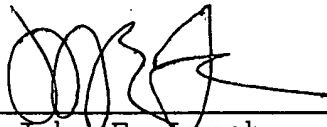
October 22, 1996

Hon. Commissioner of Patent
and Trademarks
Washington, D.C. 20231

ASSOCIATE POWER OF ATTORNEY

Sir:

I hereby grant and/or confirm Associate Power of Attorney to Peter F. Felfe, Reg. No. 20,297; Alfred H. Hemingway, Jr., Reg. No. 26,736; Vincent M. Fazzari, Reg. No. 26,879; Norman D. Hanson, Reg. No. 30,946; F. Brice Faller, Reg. No. 29,532; Andrew L. Tiajolloff, Reg. No. 31,575; John A. Bauer, Reg. No. 32,554; Vineet Kohli, Reg. No. 37,003; Mary Ann Schofield, Reg. No. 36,669 and Madeline F. Baer, Reg. No. 36,437 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.



John E. Lynch
Reg. No. 20,940

805 Third Avenue
New York, N.Y. 10022
(212) 688-9200

GLIAL MITOGENIC FACTORS, THEIR PREPARATION AND USE

for which an application for United States Letters Patent Serial No. 07/965,173 was filed on October 23, 1992.

Whereas Ludwig Institute for Cancer Research
1345 Avenue of the Americas
New York, New York 10105

a New York corporation (hereinafter "ASSIGNEE") is desirous of acquiring the entire right, title and interest in the same:

Now, therefore, in consideration of the sum of one dollar (\$1.00), the receipt whereof is hereby acknowledged, and other good and valuable consideration, the said ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE, the full and exclusive right to the said invention in the United States and the entire right, title, and interest in and to any and all Letters Patent which may be granted therefor in the United States.

Said ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE, as the assignee of the entire right, title, and interest in and to the same, for the sole use and for the use of its successors, legal representatives, and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by said ASSIGNOR had this assignment and sale not been made.

Witness, the hand and seal of the ASSIGNOR on the date(s) indicated.

Date(s)

Signature(s)

27th April 1993

A. Goodearl
Andrew Goodearl

April 6, 1993

P. Stroobant
Paul Stroobant

April 21, 1993

Luisa Minghetti
Luisa Minghetti

April 13 1993

Michael Waterfield
Michael Waterfield

April 19 1993

Ian Hiles
Ian Hiles

Whereas the undersigned [hereinafter (collectively) "ASSIGNOR"] have invented certain new and useful improvements in

GLIAL MITOGENIC FACTORS, THEIR PREPARATION AND USE

for which an application for United States Letters Patent Serial No. 07/965,173 was filed on October 23, 1992.

Whereas **Cambridge NeuroScience**
One Kendall Square
Cambridge, Massachusetts 02139

a Delaware corporation (hereinafter "ASSIGNEE") is desirous of acquiring the entire right, title and interest in the same:

Now, therefore, in consideration of the sum of one dollar (\$1.00), the receipt whereof is hereby acknowledged, and other good and valuable consideration, the said ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE, the full and exclusive right to the said invention in the United States and the entire right, title, and interest in and to any and all Letters Patent which may be granted therefor in the United States.

Said ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE, as the assignee of the entire right, title, and interest in and to the same, for the sole use and for the use of its successors, legal representatives, and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by said ASSIGNOR had this assignment and sale not been made.

Witness, the hand and seal of the ASSIGNOR on the date(s) indicated.

Date(s)

Signature(s)

5/13/93

Mark Marchioni
Mark Marchioni

4/27/93

Mario Su Chen
Mario Su Chen

FELFE & LYNCH, 805 Third Avenue, New York, New York 10022 (212) 688-9200.